

**SUMMARY REPORT OF INVESTIGATION<sup>1</sup>**

Date/Time/Location of Incident:	April 12, 2017/ 2:00 pm / [REDACTED], Chicago
Date/Time of COPA Notification:	April 19, 2017 / 3:32 pm
Involved Officer #1:	[REDACTED] Star # [REDACTED] Employee ID # [REDACTED] Date of Appointment: [REDACTED], 1994; Sergeant, Unit [REDACTED] Date of Birth: [REDACTED], 1966, Male, Hispanic
Involved Officer #2:	[REDACTED] Star [REDACTED] Employee ID # [REDACTED] Date of Appointment: [REDACTED], 1999; Police Officer, Unit [REDACTED] [REDACTED] Date of Birth: [REDACTED], 1967, Male, White
Involved Individual #1:	[REDACTED] Date of Birth: [REDACTED], 1992, Male, White
Case Type:	4 <sup>th</sup> Amendment

**I. ALLEGATIONS**

Officer	Allegation	Finding / Recommendation
Sergeant [REDACTED]	<ol style="list-style-type: none"><li>On April 12, 2017, it is reported that you detained [REDACTED] without justification, in violation of Rule</li><li>On April 12, 2017, it is reported that you searched [REDACTED] without justification, in violation of Rule</li><li>On April 12, 2017, it is reported that you stated words to the effect of “you’re stupid” (to [REDACTED] in violation of Rule 8</li></ol>	<b>Not Sustained</b> <b>Not Sustained</b> <b>Not Sustained</b>
Officer [REDACTED]	<ol style="list-style-type: none"><li>On April 12, 2017, it is reported that you detained [REDACTED] without justification, in violation of Rule</li></ol>	<b>Not Sustained</b>

	2. On April 12, 2017, it is reported that you searched [REDACTED] without justification, in violation of Rule	Not Sustained
	3. On April 12, 2017, it is reported that you stated words to the effect of "you're stupid" (to [REDACTED] in violation of Rule 8.	Not Sustained

## II. SUMMARY OF EVIDENCE<sup>2</sup>

Complainant [REDACTED] alleged that he was stopped, searched and called "stupid" without justification by a member of the Chicago Police Department. According to [REDACTED] he attempted to drive through the mouth of an alley that was blocked by three unmanned police cars. [REDACTED] admitted to yelling profanities at one of the officers before driving on the grass around the police vehicles. After parking about three blocks away, near his house, [REDACTED] exited his vehicle and heard a police siren. Sergeant [REDACTED] approached [REDACTED] detained him in handcuffs, searched his pockets and called him "stupid."

Officer [REDACTED] completed an Investigatory Stop Report (ISR) for the incident where he indicated Beat [REDACTED] now known as Sergeant [REDACTED] observed [REDACTED] drive his vehicle on the sidewalk. According to the ISR [REDACTED] refused to stop initially and yelled profanities at Sergeant [REDACTED]. The ISR described that Sergeant [REDACTED] then detained [REDACTED] who then began to comply.

During his interview with COPA, Officer [REDACTED] stated he did not witness any of the interaction between [REDACTED] and Sergeant [REDACTED]. He stated that he was directed by the sergeant to complete the ISR but had no first-hand knowledge of the incident. In his statement to COPA, Sergeant [REDACTED] acknowledged that after reviewing department reports he was involved in the incident but had no independent recollection of the incident.

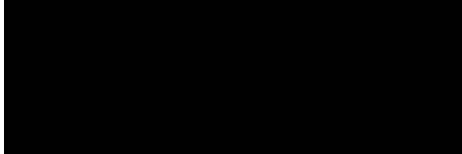
<sup>1</sup>On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Therefore, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

<sup>2</sup>COPA conducted a full and complete investigation of this matter, including the interview of all pertinent civilian and officer witnesses, and the collection and review of digital, documentary, and forensic evidence. As part of COPA's ongoing efforts to increase case closure capacity, certain cases opened under IPRA are summarized more succinctly in a Modified Summary Report of Investigation, pursuant to COPA Guideline Modified Summary Report of Investigation Template and Approvals, effective February 13, 2019.

### III. ANALYSIS AND CONCLUSION

This case presents issues of fact that cannot be resolved one way or another. [REDACTED] presented a credible version of the events that was consistent with department reports. The only significant difference between [REDACTED] version of the events and the ISR was whether [REDACTED] was detained. Specifically, if [REDACTED] was placed in handcuffs and if the officers emptied his pockets as he detailed to COPA. No third-party evidence; video, audio or testimonial, exists to assist in determining exactly what happened. The department witnesses, Sergeant [REDACTED] and Officer [REDACTED] provide no additional context to the department report. In sum, while COPA is inclined to believe [REDACTED] we lack sufficient evidence to make a factual determination by a preponderance of the evidence as to what occurred. Therefore, COPA makes a finding of Not Sustained.

Approved:

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July 19, 2019

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Andrea Kersten  
*Deputy Chief Administrator – Chief Investigator*

Date

Appendix A

Assigned Investigative Staff

<b>Squad#:</b>	IV
<b>Investigator:</b>	[REDACTED]
<b>Supervising Investigator:</b>	
<b>Deputy Chief Administrator:</b>	Andrea Kersten, #7